

WILLKIE FARR & GALLAGHER LLP

BENEDICT Y. HUR (SBN: 224018)

bhur@willkie.com

SIMONA AGNOLUCCI (SBN: 246943)

sagnolucci@willkie.com

EDUARDO E. SANTACANA (SBN: 281668)

esantacana@willkie.com

ARGEMIRA FLOREZ (SBN: 331153)

aflorez@willkie.com

One Front Street, 34th Floor

San Francisco, CA 94111

Telephone: (415) 858-7400

Facsimile: (415) 858-7599

Attorneys for Defendant

GOOGLE LLC

BOIES SCHILLER FLEXNER LLP

Mark C. Mao (CA Bar No. 236165)

mmao@bsflp.com

Beko Reblitz-Richardson (CA Bar No. 238027)

brichardson@bsflp.com

44 Montgomery Street, 41st Floor

San Francisco, CA 94104

Tel: (415) 293-6858

Fax: (415) 999-9695

SUSMAN GODFREY L.L.P.

William Christopher Carmody (pro hac vice)

bcarmody@susmangodfrey.com

Shawn J. Rabin (pro hac vice)

srabin@susmangodfrey.com

One Manhattan West, 50th Floor

New York, NY 10001

Telephone: (212) 336-8330

MORGAN & MORGAN

John A. Yanchunis (pro hac vice)

jyanchunis@forthepeople.com

Ryan J. McGee (pro hac vice)

rmcgee@forthepeople.com

201 N. Franklin Street, 7th Floor

Tampa, FL 33602

Telephone: (813) 223-5505

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

ANIBAL RODRIGUEZ, et al. individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

GOOGLE LLC,

Defendant.

Case No. 3:20-CV-04688-RS

**JOINT STIPULATION AND
[PROPOSED] ORDER MODIFYING
THE COMMENCEMENT OF THE
NOTICE PERIOD**

Judge: Hon. Richard Seeborg
Courtroom: 3, 17th Floor

1 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs Anibal Rodriguez, et al. (“Plaintiffs”)
2 and Defendant Google LLC (“Google”), collectively referred to as the “Parties,” hereby enter into
3 this joint stipulation.

4 WHEREAS, on January 3, 2024, the Court granted Plaintiffs’ Motion for Class Certification
5 (Dkt. 352);

6 WHEREAS, on January 25, 2024, the Parties submitted their Joint Case Management
7 Statement, which proposed a schedule for providing notice to the certified classes (Dkt. 363);

8 WHEREAS, on February 1, 2024, the Court entered its Further Case Management
9 Scheduling Order establishing the schedule for providing notice to the certified classes (Dkt. 367);

10 WHEREAS, the Parties subsequently engaged in additional briefing concerning the
11 proposed notice program (Dkts. 370, 371, 373, 375, 378);

12 WHEREAS, on April 5, 2024, the Court resolved the outstanding disputes and required that
13 the Parties inform the Court whether they would revise the notice program (Dkt. 384);

14 WHEREAS, on April 12, 2024, the Parties informed the Court that they intended to submit
15 a modified notice program (Dkt. 392), which was submitted by Plaintiffs on April 26, 2024 (Dkt.
16 395), and to which Google responded on May 10, 2024 with proposed modifications (Dkt. 401);

17 WHEREAS, on May 31, 2024, the Court granted Plaintiffs’ modified proposal and also
18 approved Google’s additional and revised notices (Dkt. 405);

19 WHEREAS, pursuant to the Court’s prior order setting the schedule to provide notice to the
20 classes, the notice program was ordered to begin on July 1, 2024 (Dkts. 367, 405);

21 WHEREAS, on June 26, 2024, Google provided to Epiq (the Court-appointed notice
22 administrator) a subset of the class list, and on June 27, 2024 provided to Epiq an additional subset
23 of the class list with all non-workspace accounts, which Epiq has been analyzing and preparing for
24 use in the notice program;

25 WHEREAS, Epiq has discovered certain technical issues with the data in a subset of the
26 class list, which will require substantial time to resolve;

27 WHEREAS, the Parties have been working together with Epiq to ensure a timely
28 commencement of the notice program, but require additional time to commence the notice program;

1 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the
2 Parties, that no later than **September 23, 2024**, the Notice Period will commence. The summary
3 judgment hearing may still take place July 25, 2024, so long as the Court does not issue any
4 summary judgment order prior to the opt-out deadline. Dkt. 363 at 10–11 (citing *Yeoman v. Ikea*
5 *U.S.A. W., Inc.*, 2014 WL 1128252, at *6 (S.D. Cal. Mar. 20, 2014); *Magadia v. Wal-Mart Assocs.*,
6 *Inc.*, 319 F. Supp. 3d 1180, 1186 (N.D. Cal. 2018).

7 A Proposed Order is submitted concurrently herewith.

8 Good cause exists for this slight modification to the schedule to ensure that notice is provided
9 to the certified classes.

10 IT IS SO STIPULATED.

11
12 DATED: July 15, 2024

WILLKIE FARR & GALLAGHER, LLP

13 By: /s/Benedict Y. Hur
14 Benedict Y. Hur

15 *Attorneys for Defendant Google LLC*

16 DATED: July 15, 2024

17 By: /s/ Mark C. Mao
18 Mark C. Mao

19 *Attorneys for Plaintiffs*
20
21
22
23
24
25
26
27
28

FILER'S ATTESTATION

Pursuant to Civil Local Rule 5.1, I attest that all signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized this filing.

DATED: July 15, 2024

BOIES SCHILLER FLEXNER LLP

/s/ Mark C. Mao

Mark C. Mao